

1 **BEFORE THE INSURANCE COMMISSIONER**
2 **OF THE STATE OF CALIFORNIA**
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4 In the Matters of the Licenses and
5 Licensing Rights of Andre Urena, Oasis
6 Insurance, Inc., d.b.a. Oasis West Insurance
7 Services,

8 Respondents.

SPECIAL NOTICE OF DEFENSE

Case Nos. LA 15668 and 15675

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10 **TO: THE DEPARTMENT OF INSURANCE OF THE STATE OF CALIFORNIA**
11 (hereinafter "Department):

12 1. Andre Urena, Oasis Insurance, Inc., d.b.a. Oasis West Insurance Services,
13 Respondents, do hereby enter a Special Notice of Defense to the Accusation
14 served in the above-entitled matter and do hereby stipulate as follows:

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16 2. Respondent ANDRE URENA holds a Fire and Casualty Broker-Agent, Life Agent
17 and Travel Agent license, license number 0819064, issued by the Department. Respondent Oasis
18 Insurnace, Inc. d.b.a. Oasis West Insurance Services holds a Fire and Casualty Broker-license,
19 license number OE36380. Respondents acknowledge receipt of a copy of the Accusation, the
20 Notice of Defense, the Statement to Respondent and the Special Notice of Defense in the above
21 entitled matter;

22 3. Respondents neither admit nor deny that the allegations contained in said
23 Accusation are true correct but do acknowledge that the if the facts alleged in said Accusation
24 were to be proven true at a hearing in this matter, said facts are grounds for the revocation by the
25 Insurance Commissioner of the State of California of Respondents' unrestricted license and
26 licensing rights pursuant to the provisions of the Insurance Code of the State of California
referred to in said Accusation;

4. Respondents waive Notice of Hearing and hearing, and all other rights

1 which may be accorded pursuant to Chapter 5, Part 1, Division 3, Title 2 (Sections 15000-11528,
2 inclusive) of the Government Code of the State of California, and by the California Insurance
3 Code;

4 5. Respondents request that the Insurance Commissioner, by his written order to be
5 made and filed herein, to require Respondents to do the following:

6 a. Respondents are to reimburse the Department for a portion of its
7 investigative costs in the sum of fifteen hundred dollars (\$1500). This sum is to be paid in full
8 within thirty days of the Department mailing to Respondents an invoice for this amount.

9 Respondents acknowledge and agree that failure to pay within the specified time frame will
10 permit the Commissioner, in his discretion, to revoke Respondents' license and licensing rights.

11 b. Respondents are to assure compliance with the responsibilities and duties as
12 outlined by the insurance carriers' protocol in submitting insurance applications. This protocol
13 would include the necessity of having photographs taken of vehicles for insurance coverage
14 purposes.

15 c. Within thirty days, Respondents are to develop and distribute to all persons
16 employed or otherwise working for Respondents' insurance business a written manual which
17 includes copies of the California Insurance Code and Regulation sections pertaining to licensing
18 and transacting insurance business. Further, as to each insurance company, managing general
19 agent, or other entity with whom Respondents write business, specific information regarding the
20 policies and procedures for submitting insurance applications and handling insurance business
21 with those entities, shall be included in the written manual. Training is to be provided to all
22 employed or otherwise working selling, transaction or servicing insurance customers concerning
23 those subjects outlined in the manual.

24 d. Respondents shall assure that all licensing, marketing, advertising and
25 other materials related to Oasis Insurance, Inc. shall use the proper d.b.a. designation of Oasis
26 West Insurance Services.

e. Respondents shall obey all laws and regulations of the State of California,
the United States of America, and every state and foreign government (and political subdivision

1 thereof) having jurisdiction over Respondent;

2 6. Respondents acknowledge that should there be a failure to comply with the terms
3 and conditions of this Special Notice of Defense and related Order, the Commissioner may move
4 to revoke the Respondents insurance license and licensing rights.

5 7. Respondents acknowledge that the Commissioner may raise the disciplinary
6 determination in this matter in any subsequent disciplinary proceeding or for violations not
7 arising out of the allegations contained in the Accusation. Respondents understand and
8 acknowledge that nothing in this Special Notice of Defense is to be construed to limit the
9 authority of the Commissioner to initiate future disciplinary proceedings for violations of statutes
10 and regulations applicable to Respondents for the period following the issuance of the
11 Commissioner's Order.

12 8. Respondents acknowledge that they freely and voluntarily execute this Special
13 Notice of Defense, with a full realization of the legal rights set forth in the Statement to
14 Respondents.

15 9. Respondents acknowledge that this Special Notice of Defense is a public record as
16 required by Government Code § 11517(e), and that this Stipulation is accessible to the public
17 pursuant to the Public Records Act, Government Code § 6250 et seq. The Special Notice of
18 Defense and the Order adopting it will be posted on the Department's Internet web site pursuant
19 to Insurance Code § 12968.

20 10. Respondents acknowledge that this Special Notice of Defense is effective on the
21 date the Order adopting it is executed by the Commissioner. In the event the Order adopting this
22 Stipulation is not executed by the Commissioner, this Stipulation shall have no force or effect.
23 Respondent acknowledges that Insurance Code § 12921 requires the Insurance Commissioner to
24 approve the final settlement of this matter. Both the settlement terms and conditions contained
25 herein and the acceptance of those terms and conditions are contingent upon the Commissioner's

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approval.

Date:

Andre Urena

10/5/07

Andre Urena, Respondent

Date:

Andre Urena

10/5/07

Oasis Insurance, Inc., d.b.a. Oasis West Insurance Services

Date:

[Signature]
Law Offices of Michelman and Robinson, counsel for
Respondents

Date:

[Signature] 11/5/07
Approved as to Form, Michael Tancredi, Senior Staff
Counsel, California Department of Insurance